

REMARKS

This amendment is offered in response to the Office Action of March 2, 2000.

It is respectfully submitted that this amendment will require neither a new search nor substantial reconsideration.

With regard to the objection to the declaration, the Applicant filed a replacement declaration on March 23, 2000.

With respect to the Examiner's statement that the priority documents do not support the presently pending claims, the Examiner is respectfully referred to the "cutting station 210" on page 8 of provisional application 60/035,051 to provide support for the "tape cutter assembly"; the "vacuum belt" on the last line of page 15 of provisional application 60/035,051 to provide support for the "vacuum belt means"; and "holding the tape 100 material in position to be sealed at positioning station 240 with pinning devices 260. ... Seal single lip 250 to base web 110 with a sealing device" (provisional application 60/035,051, page 8, line 18 et seq.) to provide support for ultrasonic sealing.

With respect to the rejection under 35 U.S.C. §112, second paragraph in the fourth numbered paragraph of the Office Action, the Examiner is respectfully referred to the amendment dated

December 9, 1999 wherein the phrase "to said tape applicator apparatus" was removed from the "means for delivering ... " in Claim 1 and similar amended language was incorporated into Claims 8 and 13. It is respectfully submitted that this overcomes the rejection under 35 U.S.C. §112, second paragraph. The Examiner is respectfully requested to telephone the Applicant's Attorney if further clarification is required in this regard.

With respect to the various rejections under 35 U.S.C. §103 (Claims 1 and 8 over Bodolay in view of Kanemitsu and Schroth; Claim 2 over Bodolay in view of Kanemitsu and Schroth and further in view of Rajala; Claim 3 of Bodolay in view of Kanemitsu and Schroth and further in view of Martin; Claim 12 over Bodolay in view of Kanemitsu and Schroth and further in view of Kuhnhold; Claim 8 over Bodolay in view of Bois and Schroth; and Claim 12 over Bodolay in view of Bois and Schroth and further in view of Kuhnhold), it is respectfully submitted that tensioning is non-obvious as it relates to a tape for precise location and sealing since the sealing mechanism needs to be precisely and consistently located relative to a predetermined section of the tape, e.g., totally sealed, not crushing the profile, etc.

Moreover, it is again respectfully submitted that there is nothing in the prior art to teach or suggest the combination of three and four references to reject the presently pending claims.

Moreover, Claim 15 has been rewritten in independent form and is in immediate condition for allowance.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw her rejections of the claims, to enter this amendment, to allow the claims, and to pass this application to early issue.

Respectfully submitted,



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